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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,678

02/09/2006

Akio Higashi

2006-0143A

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EXAMINER

ABRISHAMKAR, KAVEH

ART UNIT

PAPER NUMBER

2431

MAIL DATE

DELIVERY MODE

05/28/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/567,678	Applicant(s) HIGASHI ET AL.	
	Examiner KAVEH ABRISHAMKAR	Art Unit 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/9/06, 2/19/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed on February 9, 2006.

Claims 1-36 were originally received for consideration. No preliminary amendments for the claims were received.

2. Claims 1-36 are currently pending consideration.

Information Disclosure Statement

3. Initialed and dated copies of Applicant's IDS (form 1449), received on 2/09/2006 and 2/19/2008, are attached to this Office Action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7, 12, 15, 16, 23, 26, 27, and 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobuhiro (JP 2003-244127) in view of Hitachi's (JP 2004-72717).

Regarding the above claims, Nobuhiro discloses an information distribution system constituted from a distributing device for sending update information of the CRL as well as key information and contract information for using the content to a terminal

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device (Figures 3-9, paragraphs 0098-0104). Furthermore, Nobuhiro discloses a terminal device for updating the CRL in accordance with the receive CRL update information (Figures 3-9, paragraphs 0098-0104).

Nobuhiro does not disclose obtaining a new CRL when a CRL issued notification is issued. However, in an analogous art, Hitachi discloses obtaining a new CRL when a CRL issued notification is received notifying the terminal that a new CRL has been issued and should be acquired (Hitachi: Figure 3, claims 2, 6-8). Therefore, it would have been obvious to one of ordinary skill in the art to use the method for obtaining a new CRL when a CRL issued notification is received, as updating the new CRL does not allow invalid certificates to circulate (Hitachi: Figure 3, claims 2, 6-8).

Claims 5-11, and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobuhiro (JP 2003-244127) in view of Hitachi's (JP 2004-72717) in further in view of Shinchu (JP 2004-88279).

Regarding claims 5, 8, 9, 11, and 18-21, Nobuhiro-Hitachi is silent on the above limitations of including the information in a SAC protocol message, MPEG-2 system, a data carousel, ECM, or EMM. However, in an analogous art, Shinchu describes a method (Figures 1-5) for sending data from a distribution device to a terminal device, including it in a ECM and EMM, and therefore achieving a system in which the CRL update information of the information distribution system described in Nobuhiro is sent, being included in a SAC protocol message, the private section of an MPEG-2 system, a

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data carousel, ECM, EMM, is a matter of design choice, achieve by a person ordinarily skilled in the art..

Regarding claims 6, 10 and 22, Nobuhiro is silent on the limitations disclosed therein. However, Shinchichi describes a method in which a URL indicating a storage location of information to be obtained is included in data to be sent (Shinchichi: Figures 1-5), and therefore, making the CRL update information for the information distribution system described in Nobuhiro a URL indicating a storage location a matter of design choice appropriately achieved by one of ordinary skill in the art.

Claims 13,14,17,24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobuhiro (JP 2003-244127) in view of Hitachi's (JP 2004-72717) in further in view of Shinchichi (JP 2004-88279) in further in view of Matsushita (JP 2003-234728) in further in view of Yoshihiro et al. (JP 2002-175084).

Regarding the above claims Matsushita and Yoshihiro discloses a determining if an update is needed of a CRL by the size (Matsushita: Fig. 11, claims 73-74) and the date of creation (Yoshihiro: Figure 10, paragraph 0121). Therefore, it would have been obvious to one of ordinary skill in the art to use the method of judging whether or not the CRL has been updated on the basis of size and creation data as disclosed by Matsushita and Yoshihiro, so that the CRL can be properly updated (Yoshihiro: paragraph 0121).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAVEH ABRISHAMKAR whose telephone number is (571)272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaveh Abrishamkar/
Primary Examiner, Art Unit 2431

/K. A./
05/24/2009
Primary Examiner, Art Unit 2431

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